

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/18/2011 has been entered.

### ***Response to Amendment***

The amendment of claims 1, 10 and 22 are acknowledged by the examiner.

The cancelation of clam 2 is acknowledged by the examiner.

Claims 13-21 are withdrawn.

### ***Election/Restrictions***

Claim 10 is withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Species B (Figs, 4 and 5), there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 04/07/2010. The limitation "spring elements (89).....located on one face end (88)" of claim 10 only refers to figs. 4 and 5 which are non-elected species.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is not clear how a barrier housing that is mounted onto the shaft on the other hand. The examiner notes that the barrier housing (52) shown in the figures of the present are not mounted onto the shaft. Appropriate correction is required.

Regarding claim 3, it is not clear if the applicant referring to different barrier housing or the one introduced in claim 1. Appropriate correction is required.

Claim 8 recites the limitation "the various axial extensions (62, 61, 63)" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the extensions (62, 61, 63)" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

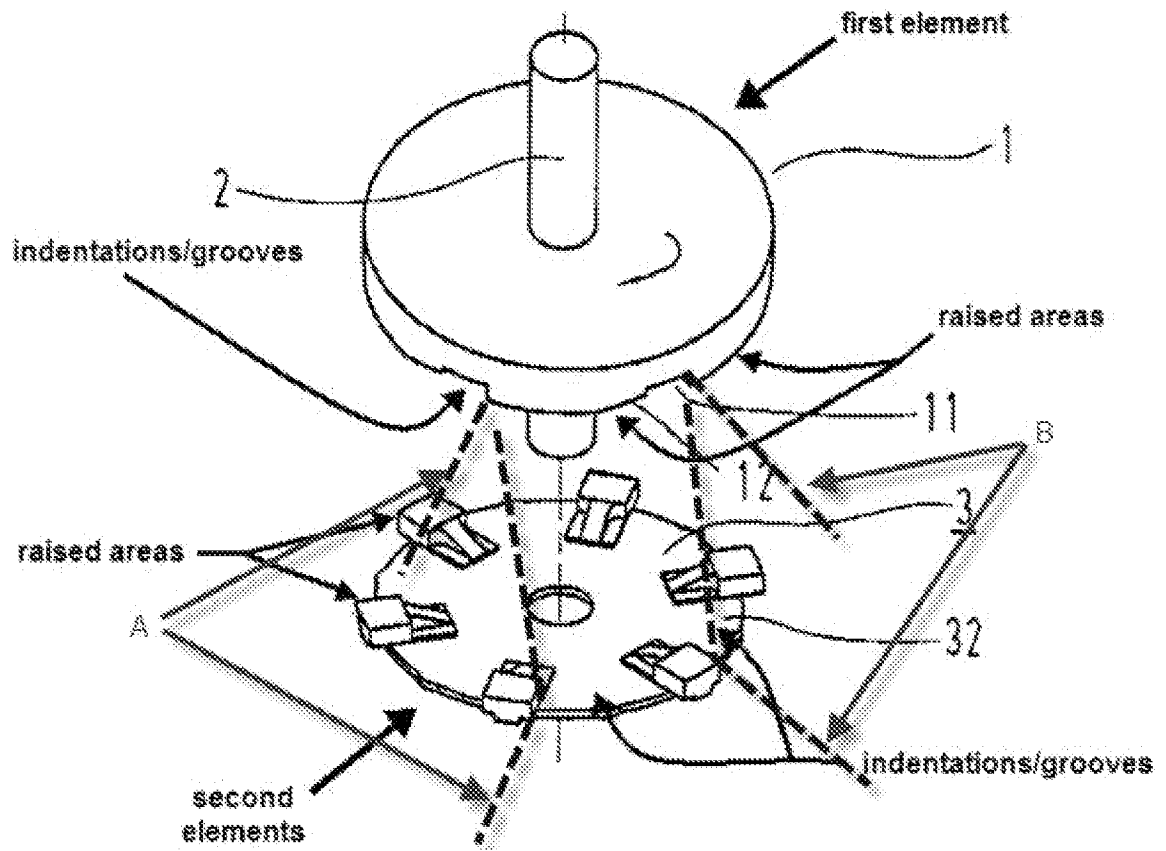
***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained through the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1, 3, 5, 6, 11 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Harting et al. (US 6,269,917 B1) in view of Reuland (US 2,725,123) or Shefke (US 3,096,863).



Regarding **claims 1, 3 and 6**, Harting discloses a blocking device (figs. 1-3) for (intended of use) blocking a rotary motion of a shaft (2) relative to a housing of a gear-drive unit, having a first blocking element (1) and a second blocking element (3) which latter is displaceable relative to the first blocking element by means of at least one electromagnet (figs. 1-2; (7)) and at least one restoring element (4), wherein the blocking elements each have radially extending indentations and radially extending raised areas, which mesh with one another in an axial direction in a form-locking fashion

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to block the rotary motion of the shaft in the blocking state (see figure above and fig. 3 of Harting).

Harting does not disclose a separate, independent structural unit comprising a barrier housing that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as claimed. However, each of Reuland Shefke discloses a magnetic brake including a barrier housing (38 of Reuland and 17 of Shefke) that holds braking or blocking portion (see fig. 1) is insertable into the housing (see fig. 1, (B) and (A) of Reuland), wherein the device is embodied as a separate, independent structural unit that is mounted as a unit onto the housing ((A) of Reuland) on the one hand and onto the shaft on the other. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Harting as a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as taught by each of Reuland and Shefke is an engineering design choice as such modification will make the device more feasible to use in different structure housing and thus making the system more efficient.

**Re-claim 5**, see the electromagnet during the blocked state and the rotating state (see col. 3, lines 25-41).

**Re-claim 11**, see a coil holder and axial guide elements (see fig. 3; (3), (7), (6)).

**Re-claim 12**, see the second blocking element is made at least in part of an elastomer/plastic (col. 4, lines 34-35).

**Claims 4 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Harting et al. (US 6,269,917 B1) in view of Reuland (US 2,725,123) or Shefke (US 3,096,863), and further in view of Pfan et al. (US 6,459,182 B1).

Regarding **claim 4**, the modified system of Harting fails to explicitly disclose the toothing areas, axial extensions, stop disk, and hook for clamping as claimed. However, the system of Pfann teaches toothing areas (fig. 4), axial extensions (see fig. 5) where an axial extension the top portion of the element (20) is braced against the bottom surface of the stop disk (6) that is clamped by the hook portion (29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such toothing areas, axial extensions, stop disk, and hook for clamping as taught by Pfann is an engineering design choice as such arrangement will provide strong connection between the blocking element, shaft and the housing and also such arrangement will allow to replace each element individually if damage without to replace the entire blocking system thus it makes the system more cost efficient.

Regarding **claim 22**, Harting discloses a blocking device (figs. 1-3) for (intended of use) blocking a rotary motion of a shaft (2) relative to a housing of a gear-drive unit, having a first blocking element (1) and a second blocking element (3) which latter is displaceable relative to the first blocking element by means of at least one electromagnet (figs. 1-2; (7)) and at least one restoring element (4), wherein the blocking elements each have radially extending indentations and radially extending raised areas, which mesh with one another in an axial direction in a form-locking fashion

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to block the rotary motion of the shaft in the blocking state (see figure above and fig. 3 of Harting).

Harting does not disclose a separate, independent structural unit comprising a barrier housing that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as claimed. However, each of Reuland Shefke discloses a magnetic brake including a barrier housing (38 of Reuland and 17 of Shefke) that holds braking or blocking portion (see fig. 1) is insertable into the housing (see fig. 1, (B) and (A) of Reuland), wherein the device is embodied as a separate, independent structural unit that is mounted as a unit onto the housing ((A) of Reuland) on the one hand and onto the shaft on the other. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Harting as a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other as taught by each of Reuland and Shefke is an engineering design choice as such modification will make the device more feasible to use in different structure housing and thus making the system more efficient.

The modified system of Harting fails to explicitly disclose the tothing areas, axial extensions, stop disk, and hook for clamping as claimed. However, the system of Pfann teaches tothing areas (fig. 4), axial extensions (see fig. 5) where an axial extension the top portion of the element (20) is braced against the bottom surface of the stop disk (6) that is clamped by the hook portion (29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such tothing areas, axial extensions, stop disk, and hook for clamping as taught by Pfann is an engineering

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design choice as such arrangement will provide strong connection between the blocking element, shaft and the housing and also such arrangement will allow to replace each element individually if damage without to replace the entire blocking system thus it makes the system more cost efficient.

**Claims 7-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Harting et al. (US 6,269,917 B1) in view of Reuland (US 2,725,123) or Shefke (US 3,096,863), and further in view of Fossum (US 5,080,214).

Regarding **claims 7-9**, the modified system of Harting fails to explicitly disclose axial extensions form a hook for clamping as claimed. However, the system of Fossum teaches axial extensions (see figs. 1-2, (22)) where an axial extension the top portion of the element (22) is braced against the stop disk (16) that is clamped by the hook portion (22a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide such toothing areas, axial extensions, stop disk, and hook for clamping as taught by Fossum is an engineering design choice as such arrangement will provide strong connection between the blocking element, shaft and the housing and also such arrangement will allow to replace each element individually if damage without to replace the entire blocking system thus it makes the system more cost efficient.

***Response to Arguments***

Applicant's arguments with respect to claims 1, 3-9, 11, 12 and 22 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAHBUBUR RASHID whose telephone number is (571)272-7218. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner, Art Unit 3657

/M. R./

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Examiner, Art Unit 3657